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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,659	12/19/2000	Michelle E. Evans	10001992-1	1453

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

GRANT II, JEROME

ART UNIT PAPER NUMBER

2626

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,659

Applicant(s)

EVANS, MICHELLE E.

Examiner

Jerome Grant II

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

JEROME GRANT II
PRIMARY EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2626

1. 112 Rejections

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-18 are rejected for at least the reasons that: it is not clear what the reverse order is since the first order or input order has not been established. It is unclear as to whether the order is from back to front of odd or even or both ages ? Is the sequencing from the highest numbered page to the least ?

The scope of the claims is not clearly defined.

2.

Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The term "selected one of a plurality of potential destinations..." is not supported in the specification.

3.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The matter not supported includes, "... selected one of a plurality of potential destinations.

4.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the newly amended features must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

Art Unit: 2626

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5.

As best can be determined in view of the 112 rejections above, the following rejection is being made and is repeated.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuchitoi.

With respect to claim 1, Tsuchitoi teaches a method for sequencing sheets of a print job having multiple sheets, the method comprising: discovering an output accumulation sequence of a destination of the print job (see col. 8, lines 54-57 and col. 9, lines 1-17)

Art Unit: 2626

and responsive to a predetermined condition, sequencing sheets of the print job in reverse (see col. 8, lines 63-67 especially line 66).

With respect to claims 2, 8 and 14, Tsuchitoy teaches ascertaining the destination of the print job (via host computer 150 which checks the print job from printer 100) and discovering from the destination the output sequence of the destination, see col. 9, lines 1-21 where host 150 discovers destination printer 100.

With respect to claims 3 and 15, Tsuchitoy teaches searching an index (via controller 151) for a record of the destination 100; and discovering the OAS from the destination record (order of read out 152 on the host and 115 on the printer).

With respect to claims 4, 10 and 16, Tsuchitoy teaches the claimed subject matter, see col. 8, lines 54-60 and col. 9, lines 1-30.

With respect to claims 5, 11 and 17, this limitation is inherent since the host designates the printer.

With respect to claims 6, 12 and 18, Tsuchitoy teaches this limitation as recited at col. 8, lines 61-67.

With respect to claim 7, Tsuchitoy teaches a system for sequencing multiple jobs

Art Unit: 2626

comprising: an output sequence discovery system (host computer 150) as claimed; and a sequecer 152 or 115 configured to respond to a predetermined condition by sequencing of sheets in the reverse direction.

With respect to claim 9, Mori teaches an index (printer controller 151) having a record of the destination as claimed; a searcher (152 of controller 151) to search the index for the destination; and retriever 115 of printer 100 to discover the record.

With respect to claim 13 Mori teaches a program storage device readable by a computer (RAM 113 of printer 100 or the memory means inherent in Host 150), tangible embodying a program for performing the method steps of: discovering an output accumulation sequence of a destination of the print job (see col. 8, lines 54-57 and col. 9, lines 1-17) and responsive to a predetermined condition, sequencing sheets of the print job in reverse (see col. 8, lines 63-67 especially line 66).

6. Examiner's Remarks

Applicant submitted an amendment dated August 8, 2005, however, the amendment is not supported by the original specification. Furthermore, there are no drawings to support the new amendments.

At the bottom of page 8 of the remarks, the remarks are unpersuasive for the reason that there is no support for the limitations that are argued.

At the top of page 8, applicant argues that Tsuchitai does not sequence in a reverse order with a face up output accumulation. There is no support in the written specification nor in the drawings for "face up". It is not clear who this term is interpreted since there is no teaching for it. Furthermore, the examiner has addressed this similar point in the last office action. Namely, sequencing sheets of the print jog in reverse. See col. 8, lines 63-67. Applicant made no offer to explain the recited portion of the reference relied on by the examiner has support, nor offered an explanation as to why this section of the reference could not read on the claimed limitations.

In the middle of page 8, applicant argues that the reference of record does not address ascending and descending of order of pages of a print job. However, it is not clear which claims are being argued.

Applicant's remarks have been considered but are unpersuasive to allow the claims. The claims are indefinite and the scope is not clearly defined. The remarks have been considered but are not persuasive in that they cannot be adequately weighed in response to the amendment which does not clearly set forth the scope desired for patentability. Hence, the rejection is final and the office action is repeated.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2626

7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Thur. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II

JEROME GRANT II
PRIMARY EXAMINER